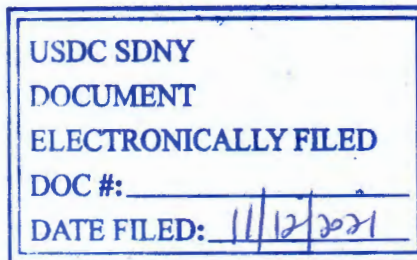




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September 1, 2021

**VIA ECF**

Hon. Colleen McMahon  
 United States District Court  
 Southern District of New York  
 500 Pearl Street, Room 2550  
 New York, NY 10007-1312

MEMO ENDORSED

OK

*Colleen McMahon*  
 11/12/2021

Re: *Meilus et al v. Restaurant Opportunities Center United, Inc. et al*  
 Docket No.: 21-cv-02554 (CM)

Dear Judge McMahon:

We represent defendants Restaurant Opportunities Center United, Inc., Sekou Siby, and Alicia Renee Farris (collectively, "Defendants") in the above-referenced matter. We write today, on behalf of all parties and with Plaintiffs' consent, to respectfully request that discovery briefly be held in abeyance while they work collectively to coordinate mediation. This is the parties' first such request.

On September 1, 2021, the parties jointly requested a stay of discovery while Defendants' partial motion to dismiss was pending [DE 33]. That request, made in accordance with the Case Management Plan endorsed by the Court [DE 17], was made to provide the parties with a clearer, more streamlined path to discovery and conserve the parties' time and financial resources. On September 7, 2021, the Court granted the parties' request [DE 34].

On Monday, November 8, with the Defendants' motion resolved and an answer filed, the Court issued an Order referring the matter to the Southern District's mandatory mediation program for employment matters [DE 41]. Even prior to the issuance of that Order, however, the parties had agreed to proceed forward to mediation to attempt to resolve multiple outstanding issues. In addition to the instant matter, plaintiffs' counsel filed another similar matter in California Superior Court, Alameda County, against the Defendants on behalf of a different former employee.<sup>1</sup> Our firm also represents Defendants in that matter. Because these suits are pending at the same time and the same

<sup>11</sup> *Cox v. Restaurant Opportunities Center United, et al.*, Case No. RG21099904, filed May 24, 2021.

Hon. Colleen McMahon  
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firms are involved, the parties wish to move forward with a mediation that includes relevant participants from both suits to attempt to reach a global resolution.

The parties' first choice is to mediate through the Southern District's program, if possible. Over the last week, we have been in touch with Rebecca Price, the program's director, to determine whether the Court is able to host a global mediation to help resolve claims brought in a foreign state court action under foreign state laws. If the program is unable to accommodate such a mediation, the parties will seek the assistance of a private mediator to accomplish that task.

Accordingly, the parties respectfully request that discovery in this matter be held in abeyance while they work through the administrative details of a global mediation. The parties request that they be able to supply the Court with a status letter in 21 days, at which time they would provide the Court an update on mediation and a proposed schedule for the balance of discovery.

We thank the Court for its consideration of this request.

Respectfully,

/s/ Adam E. Collyer

Adam E. Collyer of  
LEWIS BRISBOIS BISGAARD & SMITH LLP

AEC

cc: Counsel for Plaintiffs (via ECF)